

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks. Claims 1-17 are in the application. Claims 1-13 have been withdrawn from consideration. Claims 14-17 have been examined. Claim 15 has been amended.

Applicant affirms the election of claims 14-17 for further prosecution.

The Examiner rejected claim 14 under the doctrine of obviousness-type double patenting over copending application no. 10/813,605 in view of Haddy. Applicant respectfully traverses. The claims of the copending '605 application specifically relate to the use of two separate compacting tools, while the present invention relates to a method using a single compacting tool whose diameter is reversibly reduced and enlarged to accommodate the two different layers of the pipe. These are two completely different inventions. Accordingly, Applicant respectfully requests that the double patenting rejection be withdrawn.

The Examiner rejected claim 15 as being unclear. Applicant

has amended claim 15 to further clarify the invention. After the pipe is completed, the diameter of the compacting tool is reversibly enlarged, so that it can be used for the first layer of a new pipe. One of the essential features of the present invention is that a single compacting tool can be used to create multiple multi-layer concrete pipes.

The Examiner rejected claims 14 and 15 under 35 USC 112 as being unpatentable over Ottmann. Claim 16 was rejected over Ottmann in view of Gowing and claim 17 was rejected over Ottmann in view of Fosse. Applicant respectfully traverses.

Ottmann does not disclose the production of a multilayer concrete pipe. While Ottmann discloses a compacting tool, there is no disclosure in Ottmann of reversibly reducing the diameter of this tool between the two steps of compacting different layers of the same pipe, because Ottmann does not pertain to a multilayer pipe. Moreover, the contracted condition of the vibrating cylinder of Ottmann is only used for lowering the pipe and the jacket about the cylinder or for removal of the pipe from the cylinder. However, a reduction of the outer diameter of the cylinder is not desired during the compacting of Ottmann (see col. 3, lines 3 ff). Thus, claims 14-17 are patentable over

Ottmann, taken alone or in combination with Gowing or Fosse.

Accordingly, Applicant submits that claims 14-17 are patentable over the cited references, taken either singly or in combination. Early allowance of the claims is respectfully requested.

Respectfully submitted,

BERTRAM RUPIETTA ET AL.



COLLARD & ROE, P.C.

1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
ECR:djp

Elizabeth C Richter, Reg. No. 35,103
Allison C. Collard, Reg.No.22,532
Edward R. Freedman, Reg.No.26,048
Frederick J. Dorchak, Reg.No.29,298
William C. Collard, Reg.No. 38,411
Attorneys for Applicant

Enclosure: Information Disclosure Statement

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Kelly Espitia